

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 314

BY EDUCATION COMMITTEE

AN ACT

RELATING TO FEES FOR DRIVER'S TRAINING; REPEALING SECTION 33-1707, IDAHO CODE, RELATING TO DISTRIBUTIONS OF MONEYS FROM THE DRIVER'S TRAINING FUND; AMENDING SECTION 49-306, IDAHO CODE, TO REVISE DISTRIBUTION OF DRIVER'S LICENSE MONEYS; AMENDING SECTION 49-307, IDAHO CODE, TO REVISE DISTRIBUTION OF MONEYS COLLECTED FROM ENROLLEES OF CLASS D DRIVER'S TRAINING COURSES; AND PROVIDING AN EFFECTIVE DATE AND TO PROVIDE RE-MITTANCE OF A FUND BALANCE IN THE DRIVER'S TRAINING FUND TO THE GENERAL FUND.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section [33-1707](#), Idaho Code, be, and the same is hereby repealed.

SECTION 2. That Section 49-306, Idaho Code, be, and the same is hereby amended to read as follows:

49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any instruction permit, restricted school attendance driving permit, or for a driver's license shall be made upon a form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths. Officers and employees of the department and sheriffs and their deputies are authorized to administer the oaths without charge. Every application for a permit, extension or driver's license shall be accompanied by the following fee, none of which is refundable:

(a) Class A, B, C (4-year) license with endorsements --	
age 21 years and older	\$40.00
(b) Class A, B, C (3-year) license with endorsements --	
age 18 to 21 years	\$30.00
(c) Class A, B, C (1-year) license with endorsements --	
age 20 years	\$15.00
(d) Class D (3-year) license -- under age 18 years	\$25.00
(e) Class D (3-year) license -- age 18 to 21 years	\$25.00
(f) Class D (1-year) license -- age 17 years or age 20 years	\$15.00
(g) Four-year Class D license -- age 21 years and older	\$30.00
(h) Eight-year Class D license -- age 21 to 63 years	\$55.00
(i) Class A, B, C instruction permit	\$29.00
(j) Class D instruction permit or supervised instruction permit	
.....	\$15.00
(k) Duplicate driver's license or permit issued under	
section 49-318, Idaho Code	\$15.00
(l) Driver's license extension issued under section	
49-319, Idaho Code	\$10.00

1	(m) License classification change (upgrade)	\$25.00
2	(n) Endorsement addition	\$15.00
3	(o) Class A, B, C skills tests not more than	\$70.00
4	(p) Class D skills test	\$24.00
5	(q) Motorcycle endorsement skills test	\$10.00
6	(r) Knowledge test	\$ 3.00
7	(s) Seasonal driver's license	\$39.00
8	(t) One time motorcycle "M" endorsement	\$15.00
9	(u) Motorcycle endorsement instruction permit	\$15.00
10	(v) Restricted driving permit or restricted school attendance	
11	driving permit	\$60.00

12 (2) Every application shall state the true and full name, date of birth,
13 sex, declaration of Idaho residency, Idaho residence address and mailing ad-
14 dress, if different, of the applicant, height, weight, hair color, and eye
15 color, and the applicant's social security number as verified by the social
16 security administration. If an applicant has submitted an application pur-
17 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-
18 cant may state, in his or her application pursuant to this section, the ap-
19 plicant's alternative Idaho mailing address in place of his or her Idaho res-
20 idence address and mailing address.

21 (a) The requirement that an applicant provide a social security number
22 as verified by the social security administration shall apply only to
23 applicants who have been assigned a social security number.

24 (b) An applicant who has not been assigned a social security number
25 shall:

26 (i) Present written verification from the social security admin-
27 istration that the applicant has not been assigned a social secu-
28 rity number; and

29 (ii) Submit a birth certificate, passport or other documentary
30 evidence issued by an entity other than a state or the United
31 States; and

32 (iii) Submit such proof as the department may require that the ap-
33 plicant is lawfully present in the United States.

34 A driver's license or any instruction permit issued on and after January
35 1, 1993, shall not contain an applicant's social security number. Ap-
36 plications on file shall be exempt from disclosure except as provided in
37 sections 49-202, 49-203, 49-203A and 49-204, Idaho Code.

38 Every application for a class A, B or C license shall state where
39 the applicant has been licensed for the preceding ten (10) years and
40 all applications shall also state whether the applicant has previously
41 been licensed as a driver, and if so, when and by what state or country,
42 and whether a driver's license or privileges have ever been suspended,
43 revoked, denied, disqualified, canceled or whether an application has
44 ever been refused, and if so, the date of and reason for the suspension,
45 revocation, denial, disqualification, cancellation or refusal and the
46 applicant's oath that all information is correct as signified by the
47 applicant's signature.

48 The applicant must submit proof of identity acceptable to the exam-
49 iner or the department and date of birth as set forth in a certified copy
50 of his birth certificate. When a certified copy of his birth certifi-

1 cate or a delayed birth certificate is impossible to obtain from a vital
2 statistics agency, another government issued document may be submitted
3 that provides satisfactory evidence of a person's full legal name and
4 date of birth acceptable to the examiner or the department.

5 (c) Individuals required to register in compliance with section 3 of
6 the federal military selective service act, 50 U.S.C. App. 451 et seq.,
7 as amended, shall be provided an opportunity to fulfill such registra-
8 tion requirements in conjunction with an application for a driver's li-
9 cense or instruction permit. Any registration information so supplied
10 shall be transmitted by the department to the selective service system.

11 (3) Whenever an application is received from a person previously li-
12 censed in another jurisdiction, the department shall request a copy of the
13 driver's record from the other jurisdiction and shall contact the national
14 driver register. When received, the driver's record from the previous ju-
15 risdiction shall become a part of the driver's record in this state with the
16 same force and effect as though entered on the driver's record in this state
17 in the original instance.

18 (4) Whenever the department receives a request for a driver's record
19 from another licensing jurisdiction, the record shall be forwarded without
20 charge.

21 (5) The department shall contact and notify the commercial driver li-
22 cense information system of the proposed application for a class A, B or C
23 driver's license to ensure identification of the person and to obtain clear-
24 ance to issue the license.

25 (6) When the fees required under this section are collected by a county
26 officer, they shall be paid over to the county treasurer not less often than
27 monthly, who shall immediately:

28 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's
29 license except an eight-year class D license, or any class D instruction
30 permit application fees, application for a duplicate driver's license
31 or permit, classification change, seasonal driver's license and addi-
32 tional endorsement, and ten dollars (\$10.00) from each eight-year class
33 D driver's license, in the current expense fund; and

34 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle
35 endorsement and motorcycle endorsement instruction permit fee in the
36 current expense fund; and

37 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a
38 knowledge test in the current expense fund; and

39 (d) Deposit an amount equal to ten dollars (\$10.00) from each fee for
40 a motorcycle endorsement skills test in the current expense fund; pro-
41 vided however, if a contractor administers the skills test he shall be
42 entitled to the ten dollar (\$10.00) fee; and

43 (e) Remit the remainder to the state treasurer; and

44 (f) Deposit seventeen dollars and fifty cents (\$17.50) from each fee
45 for a class D skills test into the county current expense fund, unless
46 the test is administered by a department-approved contractor, in which
47 case the contractor shall be entitled to seventeen dollars and fifty
48 cents (\$17.50) of each fee.

49 (7) When the fees required under this section are collected by a state
50 officer or agency, they shall be paid over to the state treasurer.

1 (8) The state treasurer shall distribute the moneys received from fees
 2 imposed by the provisions of this section, whether collected by a county of-
 3 ficer or by a state officer or agency as follows:

4 (a) Two dollars (\$2.00) of each fee for a four-year driver's license
 5 or seasonal driver's license, and four dollars (\$4.00) of each fee for
 6 an eight-year class D driver's license, and one dollar and fifty cents
 7 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-
 8 tions (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each
 9 fee charged for driver's licenses pursuant to subsections (1) (c) and
 10 (f) of this section, shall be deposited in the emergency medical ser-
 11 vices fund II created in section 56-1018A, Idaho Code, and four dollars
 12 (\$4.00) of each fee charged pursuant to subsections (1) (a), (g) and (s)
 13 of this section and eight dollars (\$8.00) of each fee charged pursuant
 14 to subsection (1) (h) of this section and three dollars (\$3.00) of each
 15 fee for driver's licenses pursuant to subsections (1) (b), (d) and (e)
 16 of this section, and one dollar (\$1.00) of each fee charged for driver's
 17 licenses pursuant to subsections (1) (c) and (f) of this section shall be
 18 deposited in the emergency medical services fund III created in section
 19 56-1018B, Idaho Code; and

20 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,
 21 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)
 22 of each fee charged for a license pursuant to subsection (1) (b) of this
 23 section, and eight dollars and sixteen cents (\$8.16) of each fee charged
 24 for a license pursuant to subsection (1) (c) of this section shall be de-
 25 posited in the state highway account; and

26 (c) Twenty dollars (\$20.00) of each fee for a class A, B or C instruction
 27 permit or driver's license classification change shall be deposited in
 28 the state highway account; and

29 (d) Four dollars (\$4.00) of each fee for a class A, B or C instruction
 30 permit shall be deposited in the emergency medical services fund III
 31 created in section 56-1018B, Idaho Code; and

32 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class
 33 A, B or C driver's license, class A, B or C driver's license extension,
 34 or additional endorsement shall be deposited in the state highway ac-
 35 count; and

36 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle
 37 endorsement and motorcycle endorsement instruction permit shall be de-
 38 posited in the state highway account; and

39 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year
 40 class D driver's license, and ten dollars and sixty cents (\$10.60) of
 41 each fee for an eight-year class D driver's license, and four dollars
 42 (\$4.00) of each fee charged for a license pursuant to subsections (1) (d)
 43 and (e) of this section, and one dollar and thirty-three cents (\$1.33)
 44 of each fee charged for a license pursuant to subsection (1) (f) of this
 45 section shall be deposited in the ~~driver training~~ public school income
 46 fund; and

47 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a
 48 four-year class D driver's license, and twenty dollars and forty cents
 49 (\$20.40) of each fee for an eight-year class D driver's license, and ten
 50 dollars and fifty cents (\$10.50) of each fee charged for a license pur-

1 suant to subsections (1) (d) and (e) of this section, and six dollars and
 2 eighty-three cents (\$6.83) of each fee charged for a license pursuant
 3 to subsection (1) (f) of this section shall be deposited in the highway
 4 distribution fund; and

5 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-
 6 struction permit, duplicate class D license or permit, and class D
 7 license extension shall be deposited in the ~~driver training fund~~ state
 8 highway account; and

9 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D
 10 instruction permit, duplicate class D license or permit, and class D
 11 license extension shall be deposited in the highway distribution fund;
 12 and

13 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test
 14 shall be deposited in the state highway account; and

15 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D
 16 driver's license, and two dollars (\$2.00) of each fee for an eight-year
 17 class D driver's license, and one dollar (\$1.00) of each fee charged for
 18 a license pursuant to subsections (1) (b), (d) and (e) of this section,
 19 and thirty-four cents (34¢) of each fee charged for a license pursuant
 20 to subsections (1) (c) and (f) of this section shall be deposited in the
 21 motorcycle safety program fund established in section 33-4904, Idaho
 22 Code; and

23 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills
 24 test shall be deposited into the state highway account.

25 (9) The contractor administering a class A, B or C skills test shall be
 26 entitled to not more than sixty dollars (\$60.00) of the skills test fee. A
 27 contractor administering a class A, B or C skills test may collect an addi-
 28 tional fee for the use of the contractor's vehicle for the skills test.

29 (10) Sixty dollars (\$60.00) of each restricted driving permit and each
 30 restricted school attendance driving permit shall be deposited in the state
 31 highway account.

32 (11) The department may issue seasonal class B or C driver's licenses to
 33 drivers who are employees of agri-chemical businesses, custom harvesters,
 34 farm retail outlets and suppliers, and livestock feeders that:

35 (a) Will only be valid for driving commercial vehicles that normally
 36 require class B or C commercial driver's licenses;

37 (b) Will be valid for seasonal periods that begin on the date of is-
 38 suance and that are not to exceed one hundred eighty (180) days in a
 39 twelve (12) month period;

40 (c) May only be obtained twice in a driver's lifetime;

41 (d) Are valid only within a one hundred fifty (150) mile radius of the
 42 place of business or farm being serviced; and

43 (e) Will be valid only in conjunction with valid Idaho class D driver's
 44 licenses.

45 (12) The department may issue seasonal class B or C driver's licenses to
 46 drivers who:

47 (a) Have not violated the single license provisions of applicable fed-
 48 eral regulations;

49 (b) Have not had any license suspensions, revocations or cancella-
 50 tions;

(c) Have not had any convictions in any vehicle for any offense listed in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic offense;

(d) Have at least one (1) year of driving experience with a class D or equivalent license in any type motor vehicle; and

(e) Are at least sixteen (16) years old.

SECTION 3. That Section 49-307, Idaho Code, be, and the same is hereby amended to read as follows:

49-307. CLASS D DRIVER'S TRAINING INSTRUCTION PERMIT AND TEMPORARY PERMITS -- CLASS D SUPERVISED INSTRUCTION PERMIT -- APPLICATION FOR A CLASS D DRIVER'S LICENSE -- RESTRICTIONS ON CLASS D DRIVER'S LICENSE. (1) No enrollee of any class D driver's training course shall be allowed to attend classes or participate in driving instruction unless he has obtained a class D driver's training instruction permit, or a class D instruction permit as provided in subsection (4) of this section.

(2) Every enrollee of a class D driver's training course shall pay a nonrefundable fee of fifteen dollars (\$15.00). ~~Five Ten~~ dollars (\$~~5~~10.00) of each fee so imposed shall be deposited ~~in the driver training account, five dollars (\$5.00) shall be deposited~~ in the state highway account, and five dollars (\$5.00) shall be deposited in the county current expense fund.

(3) Each enrollee of a class D driver's training course shall provide the type of information required for a driver's license or instruction permit. If an enrollee of a class D driver's training course cannot provide a certified copy of his birth certificate at the time of application for a permit, the department may issue a temporary driver's training instruction permit or a temporary class D instruction permit upon receipt of both a photo identification and a letter from the school verifying the applicant's enrollment in a driver's training course. The certified copy of an applicant's birth certificate shall be required before a class D driver's license will be issued.

(4) The class D driver's training instruction permit shall expire five (5) days after the permittee's eighteenth birthday for permittees fourteen and one-half (14 1/2) years of age through seventeen and one-half (17 1/2) years of age. The class D driver's training instruction permit shall expire one hundred eighty (180) days from the date of issue for persons seventeen and one-half (17 1/2) years of age or older. Persons aged seventeen (17) years or older may attend classes or participate in driver's training instruction while operating with a class D instruction permit or a class D driver's training instruction permit.

(5) The class D driver's training instruction permit shall be issued to the instructor of the course.

(6) Class D supervised instruction permit.

(a) Upon successful completion of the class D driver's training course, the driver's training instructor shall submit the student log to the county driver's license office and give the class D driver's training instruction permit to the parent or legal guardian of the permittee, and the parent or legal guardian shall assume responsibility for ensuring that the permittee complies with the requirements of operating a vehicle with a class D supervised instruction permit. The class D driver's

1 training instruction permit shall then serve as a class D supervised
2 instruction permit.

3 (b) In the event the permittee reaches the age of seventeen (17) years
4 while operating a class D vehicle with a class D supervised instruction
5 permit, the supervised instruction permit shall become a class D in-
6 struction permit.

7 (7) No permittee may apply for a class D driver's license sooner than
8 fifteen (15) years of age and no sooner than six (6) months after completing a
9 class D driver's training course, during which time the permittee shall sat-
10 isfy all requirements for operation of a class D vehicle with a class D super-
11 vised instruction permit as follows:

12 (a) The permittee shall not operate a vehicle unless he is accompanied
13 by a driver who holds a valid driver's license, is twenty-one (21) years
14 of age or older, and who is actually occupying a seat beside the permit-
15 tee driver. The supervising driver and the permittee shall be the only
16 occupants of the front passenger section of the vehicle.

17 (b) Over a period of time not less than six (6) months, the permittee
18 shall accumulate at least fifty (50) hours of supervised driving time,
19 ten (10) hours of which shall be during hours of darkness.

20 (c) The permit shall be in the permittee's immediate possession at all
21 times while operating a vehicle.

22 (d) In addition to the permittee driver and the supervising driver, all
23 other occupants of the vehicle shall wear a seat belt or be restrained by
24 child passenger restraints as required by law.

25 (e) The permittee is subject to the provisions of sections 18-1502 and
26 18-8004, Idaho Code, relating to violation of age restrictions on con-
27 sumption of beer, wine, and alcohol and driving under the influence of
28 alcohol, drugs or any other intoxicating substances, respectively.

29 (f) The permittee shall not have been convicted of any moving traffic
30 violation, or have had driving privileges suspended by the department
31 or the court for any offense, or found to be in violation of any of the
32 restrictions on the class D supervised instruction permit, for a period
33 of at least six (6) months from the date the driver's training instruc-
34 tor gave the permit to the parent or legal guardian, or from the date a
35 canceled class D supervised instruction permit was reissued, or until
36 the permittee reaches seventeen (17) years of age.

37 (g) If the permittee is under seventeen (17) years of age and is con-
38 victed of a violation of any traffic law, or section 18-1502, Idaho
39 Code, or section 18-8004, Idaho Code, or section 23-949, Idaho Code,
40 or is found to be in violation of any of the restrictions on the class D
41 supervised instruction permit, the department shall cancel the class D
42 supervised instruction permit, and the cancellation shall not be used
43 to establish rates of motor vehicle insurance charged by a casualty
44 insurer. If the permittee is under seventeen (17) years of age, the
45 permittee may reapply for and be issued a new class D supervised in-
46 struction permit upon payment of the appropriate fee, and shall again
47 be required to operate with the class D supervised instruction permit
48 for at least six (6) months from the date of reissue without a conviction
49 or suspension, accumulate the required hours of driving time and adhere

1 to the requirements as specified in paragraphs (a) through (f) of this
2 subsection (7).

3 (8) Upon completion of the requirements in subsection (7) of this sec-
4 tion, the permittee shall take the knowledge test and skills test adminis-
5 tered by a person certified by the Idaho transportation department to admin-
6 ister knowledge and skills tests.

7 (9) Upon passage of the knowledge and skills tests, the permittee may
8 apply for a class D driver's license with driving privileges restricted to
9 daylight hours for persons under sixteen (16) years of age, and with full
10 privileges at sixteen (16) years of age or older. Provided however, the re-
11 striction on daylight hours only driving privileges for persons under six-
12 teen (16) years of age shall not apply if:

13 (a) The person under sixteen (16) years of age has a valid class D
14 driver's license; and

15 (b) Is accompanied by a driver who holds a valid driver's license and is
16 twenty-one (21) years of age or older and is actually occupying a seat
17 beside the licensee who is under sixteen (16) years of age; and

18 (c) The two (2) licensed drivers are the only occupants of the front
19 passenger section of the vehicle.

20 The restriction of daylight hours only shall mean that period of time one-
21 half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

22 (10) Upon passage of the knowledge and skills tests, the permittee may
23 apply for a class D driver's license. Any such licensee who is under the age
24 of seventeen (17) years shall be required, during the first six (6) months
25 from the date of issue of the class D driver's license, to limit the number
26 of passengers in the vehicle who are under the age of seventeen (17) years to
27 not more than one (1) such passenger. Provided however, the limit of one (1)
28 passenger under the age of seventeen (17) years shall not apply to passengers
29 who are related to the driver by blood, adoption or marriage.

30 SECTION 4. This act shall be in full force and effect on and after July
31 1, 2011, and any funds remaining in the driver's training fund on June 30,
32 2011, shall be remitted to the General Fund on July 1, 2011.